



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

Robert L. Morgan
State Engineer

1636 West North Temple, Suite 220
Salt Lake City, UT 84116-3156
801-538-7240
801-538-7467 (Fax)

April 6, 1995

David S. Grow
3188 North Cottonwood Lane
Provo, Utah 84604-4496

Dear Mr. Grow Re: Identification of Water Right from Bridle Veil Falls

I am responding to your request concerning the clarification of water rights for the Greater Bridle Veil Falls Recreation and Retreat, a Utah Partnership. Exchange 189 which was originally filed in the name of Margaret Clegg, based upon a decreed right from the Provo River (Page 20, paragraph (p) Civil Case #2888 is still in good standing as long as the water has been used within the last 5 contiguous years. This entitles you to 17.4 acre feet of water to be used on a year round basis January 1 through to December 31 at a flow rate of 0.0238 cfs, from a spring located So. 2096.75 ft. and E 240 ft. from W4 Sec. 34, T5S R 3E SLBM. This water is used upon the basis that it's like flow is to be released as heretofore at the point diversion listed at the Lake Bottom Canal Diversion from the Provo River at So. 1944 and E. 511 from N4 Cor. Sec. 25, T6S R2E SLBM. The priority of this right is a first class Provo River Decreed right with uses currently described as being used for domestic, related uses at a lodge, and for irrigation of mountain foliage near the lodge, all uses within the NE4, SE4, Sec. 33, T5S, R3E SLBM.

The water right described above is the basis for the assessments (Account 43-52) that you have received from this office. The right you are entitled to is as described above, not a percentage of the Provo River, but the flow at 0.0238 cfs (10.68 gpm), up to 17.4 acre feet diverted from a spring used at the Retreat.



I hope this information has been helpful. Complimentary copies of the documents pertaining to the water right you concerned about have been included along with your blank check. The water rights and distribution account have been endorsed as per the assignment form you have included to UPSTREAM LTD. c/o Angela Dyan Grow. If you have questions concerning any of the above, feel free to contact me at 538-7431.

Sincerely,

A handwritten signature in black ink, appearing to read "John S. Larsen". The signature is fluid and cursive, with the first name "John" being more prominent and the last name "Larsen" written in a more compact, flowing style.

John S. Larsen, WR Spec. III

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WATER RIGHTS
SALT LAKE

TO: ANGIE DYAN GROW (BOND)


ASSIGNMENT OF WATER RIGHTS

The undersigned, Steven L. Grow, previously doing business as Greater Bridal Veil Falls Recreation and Retreat, a Utah Partnership hereby assigns all interest in that water, being a part of the tributary of Provo River commonly known as Bridal Veil Falls, and represented on the records of the State Engineer, State of Utah, as account 43-52; hereby assigns all right, title and interest in said water to Angela Dyan Grow, doing business as UPSTREAM LTD. at 2890 Indian Hills Drive, Provo, Utah.

Effective this 22nd day of March 1989.

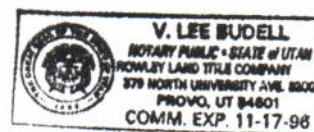

Steven L. Grow

Subscribed and sworn before me this 25th day of January, 1993.


Notary Public

Residing in S.L. Co., Utah

My commission expires 11-17, 1996.



Form 144

STATE OF UTAH -- DIVISION OF WATER RIGHTS
1636 WEST NORTH TEMPLE
SALT LAKE CITY, UTAH 84116

ANNUAL WATER ASSESSMENT NOTICE

PROVO RIVER DISTRIBUTION SYSTEM:

---->Water User Account Number: 43-52

1991 ASSESSMENT	1991 DELINQUENT PENALTY	PRIOR UNPAID ASSESSMENTS	PRIOR DELINQUENT PENALTIES	PAYMENTS MADE IN 1991
\$10.00	0.00	0.00	0.00	0.00

By law, payment is due by May 1st of each year. If not paid by June 1st, a 10% DELINQUENT PENALTY will be added to your TOTAL AMOUNT DUE.

Greater Bridal Veil Falls Recreation & Retreat
Grow, David
P. O. Box 202
Provo, UT 84601

Make payable to STATE ENGINEER, and RETURN THIS NOTICE with your remittance.

We enclosed an extra \$10.00 with our Sula #918 payment, from Communicast. Please use that \$10 to pay the \$10 due in January 1993 on this water right #43-52.

TOTAL AMOUNT DUE

* PLEASE PAY *
* THIS *
* AMOUNT *
* \$10.00 *

David Grow
373-5355

TO ANGIE S. BOND
ANGIE GROW BOND IS ANGLA DYAN GROW

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STATE OF UTAH -- DIVISION OF WATER RIGHTS
1636 WEST NORTH TEMPLE
SALT LAKE CITY, UTAH 84116

ANNUAL WATER ASSESSMENT NOTICE

WATER RIGHTS

SALT LAKE

JOHN RIVER DISTRIBUTION SYSTEM:

Water User Account Number: 43-52

1991 ASSESSMENT	1991 DELINQUENT PENALTY	PRIOR UNPAID ASSESSMENTS	PRIOR DELINQUENT PENALTIES	PAYMENTS MADE IN 1991
10.00	0.00	0.00	0.00	0.00

TOTAL AMOUNT DUE

* PLEASE PAY *
* THIS *
* AMOUNT *
* \$10.00 *

By law, payment is due by May 1st of each year. If not paid by June 1st,
a 10% DELINQUENT PENALTY will be added to your TOTAL AMOUNT DUE.

Greater Bridal Veil Falls Recreation & Retreat
Grow, David
P.O. Box 202
Provo, UT 84601

Note payable to STATE ENGINEER, and RETURN THIS NOTICE with your remittance.

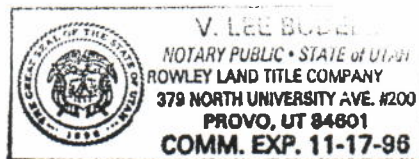
I hereby assign all interest of Greater Bridal Veil
Falls Recreation & Retreat, and of David Grow
in the above described water right to

ANGIE S. BOND
DBA ANGLA DYAN GROW BOND
UPSTREAM LTD.

Jan 23, 1993

Subscribed and sworn before me this 23rd day of
January, 1993

Notary Public



We enclosed
\$10.00 with
payment, from
Please use

Jan
373

Application for the Right of Exchange of Water

STATE OF UTAH

Do not fill out this blank until you have read carefully and thoroughly understand the Rules and Regulations on the back hereof, also in the pamphlet prepared by state engineer and all the notes in this form.

For the purpose of obtaining permission to make an exchange of water, application is hereby made to State Engineer, based upon the following showing of facts submitted in accordance with the requirements of Sec. 100-3-20, Utah Code Annotated 1943.

NOTE.—The information given in the following blanks should be free from explanatory matter, but when necessary a complete supplementary statement should be made on the following page under the heading "Explanatory."

- The name of the applicant is Margaret M. Clegg
- The post-office address of the applicant is Bridal Veil Falls, Rt. #2, Provo, Utah

The Following Water Right Is Now Owned or Will Be Acquired by Applicant

Andrew Forsythe, Decreed right by Award as set forth on page 20,

- The right was acquired by par. 22(p), Provo River Decree, Case #2888 Civil

(Give No. of Application, title and date of Decree or other identification)

- The right, if not now owned by applicant, will be acquired in the following manner Deed

(If by appropriation, purchase, or exchange, so state giving particulars)

- The flow of water in second feet is 1.5/24.69 acres of the decreed right.

- The quantity of water in acre-feet is

- The period of use each year is from January 1 to December 31 inc.

- The period of storage each year is from (month) (day) to (month) (day) inc.

- The drainage area to which source of supply belongs is Provo River (Leave blank)

- The direct source of supply is Lake Bottom Canal tributary to Utah
tributary to Utah County. (Strike tributary not needed)

- The point of diversion is located at a point (*See note below) S. 1944 ft. and E. 511 ft.
from N¹ Cor. Sec. 25, T6S, R2E, SLB&M. (Lake Bottom Canal diversion point from Provo River.)

- The water involved is, or was to be, used for the following purposes: Irrigation, stock watering and domestic uses, all uses within SW¹/₄ and NW¹/₄ Sec. 36, T6S, R2E, SLB&M.

Total 1.5 acres.

(If for irrigation, give legal subdivision of land and total acreage which is or was to be irrigated. If for other purpose, give nature, place and extent of use.)

- The point at which water has been, or was to be, returned to the stream channel is located at a point (*See note below)

(This space is to be filled in only when all, or part, of the water is returned.)

THE FOLLOWING EXCHANGE IS PROPOSED

- 1.5/24.69 of the Decreed Right
second feet or acre feet of water represented by the foregoing right will be delivered from Jan. 1 to December 31 incl. of each year into (Name of stream, canal, etc.)
at a point located (*See note below) Same as Par. 11 above.

*NOTE.—The point of diversion, point of return or point of delivery must be located by course and distance or by rectangular distances with reference to some United States land survey corner or United States mineral monument if within a distance of six miles of either, or if a greater distance, to some prominent and permanent natural object.

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WATER RIGHTS
SALT LAKE

15. The water will be conveyed from the point described in Par. 11 to the point described in Par. 14, by canal, pipe, conduit, flume or natural stream (strike words not needed.) The cross-section, grade, length, etc. follows: The water will be left in Provo River to compensate all other natural flow users for an equivalent amount of Class "A" water (1.5 acres right) diverted at a point of location described hereafter in Par. 16, situated at a spring area above Bridal Veil Falls in Sec. 34, T5S, R3E, SLB&M, listed in rejected App. 34759.

16. In exchange for the water delivered and described in Par. 14, there will be..... second feet or acre feet of water diverted from January 1 to December 31 incl. of each year from an unnamed spring at a point located (See note bottom of Page 1) S. 2096.75 ft. and E. 240 ft. from W¹ Cor. Sec. 34, T5S, R3E, SLB&M.

17. The water referred to in Par. 16 will be conveyed by canal, pipe, conduit, flume or natural stream (strike words not needed). The cross-section, grade, length etc. follows: 250 ft. of 2-in. plastic pipe to the lodge building at the top of the Sky Ride

18. The water referred to in Par. 16 and 17 will be used: (See note under Par. 12) For domestic and related uses at the lodge and for irrigation of mountain foliage near the lodge, all uses within NE¹SE¹ Sec. 33, T5S, R3E, SLB&M.

Total 1 Acres
19. After being used as provided in Par. 18, the water will be returned to..... at a point located (See note, bottom of Page 1)

EXPLANATORY

In the space below, give any further information necessary to define clearly the nature of the proposed exchange. In cases where storage is contemplated, indicate the period in each year during which water will be stored; also the period during which it will be released and used. The lands to be inundated by reservoir must be described as nearly as may be by government subdivisions if upon surveyed lands. Indicate also the height of the impounding dam and the area in acres inundated at full stage.

In case the water diverted as described in Paragraph 16 has heretofore been used to satisfy an exclusive right of another party, give identification of such right by number of Application, title and date of decree or other identification. Explain also, the reason why the right of replacement is desired.

Applicant has acquired 1.5 acres of water right of that decreed to Andrew Forsythe, page 20, pp. 22(p) Provo River Decree, Case #2888 Civil. This water will be used in exchange for that released into Provo River at the point of diversion listed in Par. 11.

The 1.5 acre water right has an equivalent of 0.0238 c.f.s. at 63 acres per c.f.s. 100% river. This is equal to 17.4 acre feet for full year's use.

Applicant will continue to pay the State Engineer's assessment on Acct. No. 52, on right #47A-2.

Margaret M. Cligg
Signature of Applicant

*If applicant is a corporation or other organization, signature must be in the name of such corporation or organization by its proper officer. If a corporation, the affidavit below need not be filled in. If there are more than one applicant, a power of attorney, authorizing one to act for all should accompany the Application.

STATE OF UTAH,
County of Utah } ss.

On the 14th day of Dec., 1965, personally appeared before me, a notary public for the State of Utah, the above applicant who, on oath, declared that he is a citizen of the United States.

My commission expires March 1, 1966. (SEAL) Leonard A. Chipman Notary Public

Phone 538-7244

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FEB 21 1995

Form 144

STATE OF UTAH -- DIVISION OF WATER RIGHTS
1636 WEST NORTH TEMPLE
SALT LAKE CITY, UTAH 84116

ANNUAL WATER ASSESSMENT NOTICE

PROVO RIVER DISTRIBUTION SYSTEM:

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By law, payment is due by May 1st of each year. If not paid by June 1st, a 10% DELINQUENT PENALTY will be added to your TOTAL AMOUNT DUE.

Greater Bridal Veil Falls Recreation & Retreat
Grow, David
P. O. Box 202
Provo, UT 84601

TOTAL AMOUNT DUE

* PLEASE PAY *

* THIS *

* AMOUNT *

* \$10.00 *

We enclosed an extra \$10.- with our Soda #918 payment, from Communicast. Please use that \$10 to pay the \$10 due in January 1993 on this water right #43-52

pay the \$10 due in January 1993 on this water right

#43-52

David Grow
373-5355

Feb 15, 1995

Make payable to STATE ENGINEER, and RETURN THIS NOTICE with your remittance.

A Please send copies of the precise water right we have been paying on all these years.

unicast
1669

B- Please send instructions as to just what water we can take, what months, are place in priority, etc.



C- Enclosed find \$10.00 in case we neglected to pay 1995 assessment

Division of State Lands
355 West North Temple
3 TRIAD Center / Suite 400
Salt Lake City, Utah

84180

UCLA lease of Communicast
918 Lake Umbagog

D. Enclosed find Blank Check to cover cost of copies and mailing. Send to: P.O. Box 202 Provo, Utah 84602

Thank you
David Grow
373-1459

Shouldn't this water right now be in
ANGELA DYAN GROW BOND?

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MAR 06 1995

WATER RIGHTS
SALT LAKE

Here is a copy of the application
which was approved. We have believed
that we have 17.4 acre feet full years use
(See HIGHLIGHTED) Is this clearly wrong?

or do we have, instead,

$\frac{1.5}{24.69}$ of the Decreed Right, as spoken of
in para 14. $\frac{1.5}{24.69} = 16.46$, or inverse
at 6.075. Does this mean we have 6.075% of Provo River?
Is it correct that this is a Jan 1 - Dec 31 right
as listed in para 7, para 14, para 16 &
the Explanatory as "full years use"?

Is this the same water right as our
"Water User Acct #43-52"?

We need some help in understanding what
our full rights are. Your expertise
would be most helpful.

D. Grow

3188 North Cottonwood Lane
Provo, Utah 84604-4496
Phone 373-1459